

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Aloys Wobben
Patent No. : 7,589,641
Issued : September 15, 2009
Application No. : 10/517,130
Filed : June 29, 2005
For : HAZARD NAVIGATION LIGHT FOR WIND TURBINES

Examiner : Tai T. Nguyen
Art Unit : 2612
Docket No. : 970054.482USPC
Date : November 5, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT

Commissioner for Patents:

Applicant hereby requests reconsideration of the patent term under 35 U.S.C. 154(b) of the above-identified patent. Applicant believes this Application for Patent Term Adjustment is timely (2 months from issuance) and includes a fee of \$200.

Statement of the Facts:

The face of the patent indicates that the term of the above-identified patent is extended by 122 days. Applicant submits that the correct patent term adjustment for this patent is 289 days, calculated as follows:

- The application was filed on December 6, 2004.
- The Letters Patent issued on September 15, 2009. Pursuant to 37 CFR 1.702(b), the Letters Patent should have been issued by the USPTO within 3 years of the filing date of the application, i.e., by December 6, 2007. On February 2, 2009 Applicant filed a

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Request for Continued Examination, hence any adjustment under 1.702(b) would have ended on that date, leaving an adjustment of 441 days (December 6, 2007 - February 2, 2009).

- Pursuant to 37 CFR 1.704, Applicant delays are as follows:
 - a) Amendment filed October 30, 2007 – delay of 61 days
 - b) Amendment filed June 25, 2008 – delay of 61 days
 - c) Amendment filed February 19, 2009 – delay of 30 days
 - d) Applicant delays total 152 days.
- Applicant notes that this patent is not subject to a terminal disclaimer

In view of the foregoing, Applicant is entitled to a patent term adjustment of 289 days (441 days for late issuance of the Letters Patent minus 152 days for Applicant delays) and respectfully requests that such a patent term adjustment be granted.

The Director is authorized to charge any additional fees due by way of this Application, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC

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